

**ORIGINAL**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -x  
:  
UNITED STATES OF AMERICA :  
:  
- v. - :  
:  
DAILE FERGUSON, :  
a/k/a "Normandale Ferguson," :  
:  
Defendant. :  
:  
- - - - -x

INDICTMENT

**16 CRIM 131**

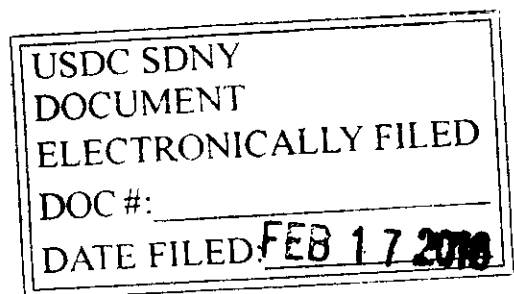
COUNT ONE  
(Conspiracy to Commit Wire Fraud)

The Grand Jury charges:

The Jaimacan Lottery Scheme

1. From at least in or about 2009 until at least in or about 2014, DAILE FERUGSON, a/k/a "Normandale Ferugson," the defendant, and others known and unknown, participated in a telemarketing scheme to defraud elderly victims.

2. To effectuate the scheme, individuals in Jamaica purchased lists containing the names, contact information, and ages of elderly individuals. Co-conspirators then telephoned these elderly individuals and told them they had won the lottery. They also told the elderly individuals that to receive their winnings they must provide money to cover various taxes and fees associated with the lottery winnings. In many



instances, co-conspirators also sent documents to the elderly individuals that purported to be official lottery notifications.

3. Based on these representations the elderly victims then sent cash or checks through wire transfers and the United States mail to DAILE FERUGSON, a/k/a "Normandale Ferguson," the defendant, and others known and unknown. Upon receiving the payments from the elderly victims, FERGUSON used wire transfers and prepaid credit cards to transmit the funds to Jamaica-based co-conspirators.

4. Dozens of elderly victims sent money as part of the scheme. None received any lottery winnings. In total, the defendants and their co-conspirators defrauded their elderly victims of more than \$430,000.

#### **Statutory Allegations**

5. From at least in or about 2009 until at least in or about 2014, in the Southern District of New York, and elsewhere, DAILE FERGUSON, a/k/a "Normandale Ferguson," the defendant, and others known and unknown, willfully and knowingly, did combine, conspire, confederate and agree together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.

6. It was a part and object of the conspiracy that DAILE FERGUSON, a/k/a "Normandale Ferguson," the defendant, and

others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire and radio communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

(Title 18, United States Code, Section 1349.)

FORFEITURE ALLEGATION AS TO COUNT ONE

7. As a result of committing the offense charged in Count One of this Indictment, DAILE FERGUSON, a/k/a "Normandale Ferguson," the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, any property, real or personal, which constitutes or is derived from proceeds traceable to the commission of the offense described in Count One of this Indictment.

Substitute Asset Provision

8. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

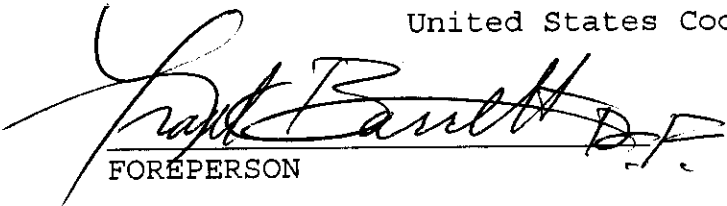
(b) has been transferred or sold to, or deposited with, a third person;


(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981 & 982; Title 21 United States Code, Section 853(p); and Title 28, United States Code, Section 2461.)

  
FOREPERSON

  
PREET BHARARA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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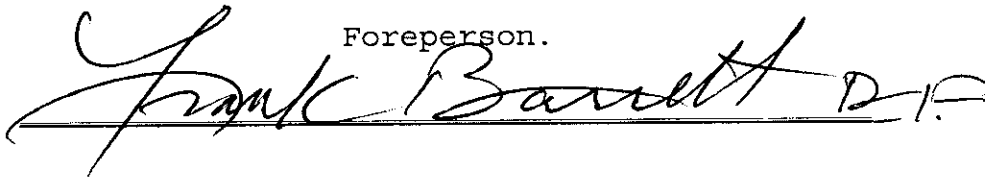
16 Cr.


(18 U.S.C. § 1349.)

PREET BHARARA  
United States Attorney.

A TRUE BILL

Foreperson.

 D.F.

TRUE BILL \* INDICTMENT  
MJ ELLIS  2-17-16.  
Wheeled to: WOOD